

Senate File 427

S-3088

1 Amend Senate File 427 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. Section 724.1, subsection 1, paragraph  
5 h, Code 2015, is amended by striking the paragraph.

6 Sec. 2. NEW SECTION. 724.1A Firearm suppressors  
7 — certification.

8 1. As used in this section, unless the context  
9 otherwise requires:

10 a. "*Certification*" means the participation and  
11 assent of the chief law enforcement officer of the  
12 jurisdiction where the applicant resides or maintains  
13 an address of record, that is necessary under federal  
14 law for the approval of an application to make or  
15 transfer a firearm suppressor.

16 b. "*Chief law enforcement officer*" means the county  
17 sheriff, chief of police, or the designee of such  
18 official, that the federal bureau of alcohol, tobacco,  
19 firearms and explosives, or any successor agency, has  
20 identified by regulation or has determined is otherwise  
21 eligible to provide any required certification for  
22 making or transferring a firearm suppressor.

23 c. "*Firearm suppressor*" means a mechanical device  
24 specifically constructed and designed so that when  
25 attached to a firearm silences, muffles, or suppresses  
26 the sound when fired that is considered a "*firearm*  
27 *silencer*" or "*firearm muffler*" as defined in 18 U.S.C.  
28 §921.

29 2. a. A chief law enforcement officer is not  
30 required to make any certification under this section  
31 the chief law enforcement officer knows to be false,  
32 but the chief law enforcement officer shall not  
33 refuse, based on a generalized objection, to issue a  
34 certification to make or transfer a firearm suppressor.

35 b. When the certification of the chief law  
36 enforcement officer is required by federal law or  
37 regulation for making or transferring a firearm  
38 suppressor, the chief law enforcement officer  
39 shall, within thirty days of receipt of a request  
40 for certification, issue such certification if the  
41 applicant is not prohibited by law from making or  
42 transferring a firearm suppressor or is not the subject  
43 of a proceeding that could result in the applicant  
44 being prohibited by law from making or transferring  
45 the firearm suppressor. If the chief law enforcement  
46 officer does not issue a certification as required by  
47 this section, the chief law enforcement officer shall  
48 provide the applicant with a written notification of  
49 the denial and the reason for the denial.

50 c. A certification that has been approved under

1 this section grants the person the authority to make  
2 or transfer a firearm suppressor as provided by state  
3 and federal law.

4 3. An applicant whose request for certification  
5 is denied may appeal the decision of the chief law  
6 enforcement officer to the district court for the  
7 county in which the applicant resides or maintains  
8 an address of record. The court shall review the  
9 decision of the chief law enforcement officer to deny  
10 the certification de novo. If the court finds that  
11 the applicant is not prohibited by law from making  
12 or transferring the firearm suppressor, or is not the  
13 subject of a proceeding that could result in such  
14 prohibition, or that no substantial evidence supports  
15 the decision of the chief law enforcement officer, the  
16 court shall order the chief law enforcement officer  
17 to issue the certification and award court costs and  
18 reasonable attorney fees to the applicant. If the  
19 court determines the applicant is not eligible to be  
20 issued a certification, the court shall award court  
21 costs and reasonable attorney fees to the political  
22 subdivision of the state representing the chief law  
23 enforcement officer.

24 4. In making a determination about whether to  
25 issue a certification under subsection 2, a chief law  
26 enforcement officer may conduct a criminal background  
27 check, including an inquiry of the national instant  
28 criminal background check system maintained by the  
29 federal bureau of investigation or any successor  
30 agency, but shall only require the applicant provide  
31 as much information as is necessary to identify  
32 the applicant for this purpose or to determine the  
33 disposition of an arrest or proceeding relevant to the  
34 eligibility of the applicant to lawfully possess or  
35 receive a firearm suppressor. A chief law enforcement  
36 officer shall not require access to or consent  
37 to inspect any private premises as a condition of  
38 providing a certification under this section.

39 5. A chief law enforcement officer and employees  
40 of the chief law enforcement officer who act in good  
41 faith are immune from liability arising from any act or  
42 omission in making a certification as required by this  
43 section.

44 **Sec. 3. NEW SECTION. 724.1B Firearm suppressors**  
45 **— penalty.**

46 1. A person shall not possess a firearm suppressor  
47 in this state if such possession is knowingly in  
48 violation of federal law.

49 2. A person who possesses a firearm suppressor in  
50 violation of subsection 1 commits a class "D" felony.

1 Sec. 4. Section 724.4, subsection 4, paragraph i,  
2 Code 2015, is amended to read as follows:

3 i. (1) A person who has in the person's immediate  
4 possession and who displays to a peace officer on  
5 demand a valid permit to carry weapons which has been  
6 issued to the person, and whose conduct is within the  
7 limits of that permit. A peace officer shall verify  
8 through electronic means, if possible, the validity of  
9 the person's permit to carry weapons.

10 (2) A person commits a simple misdemeanor  
11 punishable as a scheduled violation pursuant to section  
12 805.8C, subsection 11, if the person does not have in  
13 the person's immediate possession a valid permit to  
14 carry weapons which has been issued to the person.

15 (3) Except as provided subparagraph (2), a  
16 person shall not be convicted of a violation of this  
17 section if the person produces at the person's trial a  
18 permit to carry weapons which was valid at the time of  
19 the alleged offense and which would have brought the  
20 person's conduct within this exception if the permit  
21 had been produced at the time of the alleged offense.

22 Sec. 5. Section 724.4B, subsection 2, paragraph a,  
23 Code 2015, is amended to read as follows:

24 a. A person listed under section 724.4, subsection  
25 4, paragraphs "b" through "f" or "j", or a certified  
26 peace officer as specified in section 724.6, subsection  
27 1.

28 Sec. 6. Section 724.5, Code 2015, is amended to  
29 read as follows:

30 **724.5 Duty to carry or verify permit to carry**  
31 **weapons.**

32 1. A person armed with a revolver, pistol, or  
33 pocket billy concealed upon the person shall have in  
34 the person's immediate possession the permit provided  
35 for in section 724.4, subsection 4, paragraph "i", and  
36 shall produce the permit for inspection at the request  
37 of a peace officer.

38 2. A peace officer shall verify through electronic  
39 means, if possible, the validity of the person's permit  
40 to carry weapons.

41 3. Failure to so produce a permit is a simple  
42 misdemeanor, punishable as a scheduled violation  
43 pursuant to section 805.8C, subsection 12.

44 Sec. 7. Section 724.6, subsection 1, Code 2015, is  
45 amended to read as follows:

46 1. A person may be issued a permit to carry weapons  
47 when the person's employment in a private investigation  
48 business or private security business licensed under  
49 chapter 80A, or a person's employment as a peace  
50 officer, correctional officer, security guard, bank

1 messenger or other person transporting property of a  
2 value requiring security, or in police work, reasonably  
3 justifies that person going armed. The permit shall be  
4 on a form prescribed and published by the commissioner  
5 of public safety, shall identify the holder, and  
6 shall state the nature of the employment requiring the  
7 holder to go armed. A permit so issued, other than to  
8 a peace officer, shall authorize the person to whom  
9 it is issued to go armed anywhere in the state, only  
10 while engaged in the employment, and while going to and  
11 from the place of the employment. A permit issued to  
12 a certified peace officer shall authorize that peace  
13 officer to go armed anywhere in the state, including  
14 a school as provided in section 724.4B, at all times.  
15 Permits shall expire twelve months after the date when  
16 issued except that permits issued to peace officers and  
17 correctional officers are valid through the officer's  
18 period of employment unless otherwise canceled. When  
19 the employment is terminated, the holder of the  
20 permit shall surrender it to the issuing officer for  
21 cancellation.

22 Sec. 8. Section 724.7, subsection 1, Code 2015, is  
23 amended to read as follows:

24 1. Any person who is not disqualified under  
25 section 724.8, who satisfies the training requirements  
26 of section 724.9, if applicable, and who files an  
27 application in accordance with section 724.10 shall be  
28 issued a nonprofessional permit to carry weapons. Such  
29 permits shall be on a form prescribed and published  
30 by the commissioner of public safety, which shall be  
31 readily distinguishable from the professional permit,  
32 and shall identify the holder of the permit. Such  
33 permits shall not be issued for a particular weapon  
34 and shall not contain information about a particular  
35 weapon including the make, model, or serial number of  
36 the weapon or any ammunition used in that weapon. All  
37 permits so issued shall be for a period of five years  
38 and shall be valid throughout the state except where  
39 the possession or carrying of a firearm is prohibited  
40 by state or federal law.

41 Sec. 9. Section 724.9, Code 2015, is amended by  
42 adding the following new subsection:

43 NEW SUBSECTION. 1A. The handgun safety training  
44 course required in subsection 1 may be conducted  
45 over the internet in a live or web-based format, if  
46 completion of the course is verified by the instructor  
47 or provider of the course.

48 Sec. 10. Section 724.11, subsections 1 and 3, Code  
49 2015, are amended to read as follows:

50 1. a. Applications for permits to carry weapons

1 shall be made to the sheriff of the county in which  
2 the applicant resides. Applications for professional  
3 permits to carry weapons for persons who are  
4 nonresidents of the state, or whose need to go armed  
5 arises out of employment by the state, shall be made  
6 to the commissioner of public safety. In either case,  
7 the sheriff or commissioner, before issuing the permit,  
8 shall determine that the requirements of sections 724.6  
9 to 724.10 have been satisfied. However, ~~for renewal of~~  
10 ~~a permit~~ the training program requirements in section  
11 724.9, subsection 1, do not apply to an applicant  
12 who is able to demonstrate completion of small arms  
13 training as specified in section 724.9, subsection 1,  
14 paragraph "d". For all other applicants the training  
15 program requirements of section 724.9, subsection 1,  
16 must be satisfied within the twenty-four-month period  
17 prior to the date of the application for the issuance  
18 of a permit.

19 b. (1) Prior to issuing a renewal, the sheriff  
20 or commissioner shall determine the requirements of  
21 sections 724.6, 724.7, 724.8, and 724.10 and either of  
22 the following, as applicable, have been satisfied:

23 (a) Beginning with the first renewal of a permit  
24 issued after the calendar year 2010, and alternating  
25 renewals thereafter, if a renewal applicant applies  
26 within thirty days prior to the expiration of the  
27 permit or within thirty days after expiration of the  
28 permit, the training program requirements of section  
29 724.9, subsection 1, do not apply.

30 (b) Beginning with the second renewal of a permit  
31 issued after the calendar year 2010, and alternating  
32 renewals thereafter, if a renewal applicant applies  
33 within thirty days prior to the expiration of the  
34 permit or within thirty days after expiration of the  
35 permit, a renewal applicant shall qualify for renewal  
36 by taking an online training course certified by the  
37 national rifle association or the Iowa law enforcement  
38 academy, and the training program requirements of  
39 section 724.9, subsection 1, do not apply.

40 (2) If any renewal applicant applies more than  
41 thirty days after the expiration of the permit, the  
42 permit requirements of paragraph "a" apply to the  
43 applicant, and any subsequent renewal of this permit  
44 shall be considered a first renewal for purposes  
45 of subparagraph (1). However, the training program  
46 requirements of section 724.9, subsection 1, do not  
47 apply to an applicant who is able to demonstrate  
48 completion of small arms training as specified in  
49 section 724.9, subsection 1, paragraph "d". For all  
50 other applicants, in lieu of the training program

1 requirements of section 724.9, subsection 1, the  
2 renewal applicant may choose to qualify on a firing  
3 range under the supervision of an instructor certified  
4 by the national rifle association or the department of  
5 public safety or another state's department of public  
6 safety, state police department, or similar certifying  
7 body.

8 (3) As an alternative to subparagraph (1), and if  
9 the requirements of sections 724.6, 724.7, 724.8, and  
10 724.10 have been satisfied, a renewal applicant may  
11 choose to qualify, at any renewal, under the training  
12 program requirements in section 724.9, subsection 1,  
13 ~~shall apply~~ or the renewal applicant may choose to  
14 qualify on a firing range under the supervision of an  
15 instructor certified by the national rifle association  
16 or the department of public safety or another  
17 state's department of public safety, state police  
18 department, or similar certifying body. Such training  
19 or qualification must occur within the ~~twelve-month~~  
20 ~~twenty-four-month~~ period prior to the expiration  
21 of the applicant's current permit, except that the  
22 ~~twenty-four-month~~ time period limitation for training  
23 or qualification does not apply to an applicant who is  
24 able to demonstrate completion of small arms training  
25 as specified in section 724.9, subsection 1, paragraph  
26 "d".

27 3. The issuing officer shall collect a fee of fifty  
28 dollars, except from a duly appointed peace officer or  
29 correctional officer, for each permit issued. Renewal  
30 permits or duplicate permits shall be issued for a fee  
31 of twenty-five dollars, provided the application for  
32 such renewal permit is received by the issuing officer  
33 ~~at least~~ within thirty days prior to the expiration  
34 of the applicant's current permit ~~or within thirty~~  
35 ~~days after such expiration~~. The issuing officer  
36 shall notify the commissioner of public safety of the  
37 issuance of any permit at least monthly and forward to  
38 the commissioner an amount equal to ten dollars for  
39 each permit issued and five dollars for each renewal  
40 or duplicate permit issued. All such fees received  
41 by the commissioner shall be paid to the treasurer  
42 of state and deposited in the operating account of  
43 the department of public safety to offset the cost of  
44 administering this chapter. Notwithstanding section  
45 8.33, any unspent balance as of June 30 of each year  
46 shall not revert to the general fund of the state.

47 Sec. 11. Section 724.11, Code 2015, is amended by  
48 adding the following new subsection:

49 NEW SUBSECTION. 5. The initial or renewal permit  
50 shall have a uniform appearance, size, and content

1 prescribed and published by the commissioner of public  
2 safety. The permit shall contain the name of the  
3 permittee and the effective date of the permit, but  
4 shall not contain the permittee's social security  
5 number. Such a permit shall not be issued for a  
6 particular weapon and shall not contain information  
7 about a particular weapon including the make, model,  
8 or serial number of the weapon, or any ammunition used  
9 in that weapon.

10 Sec. 12. Section 724.11A, Code 2015, is amended to  
11 read as follows:

12 **724.11A Recognition.**

13 A valid permit or license issued by another state to  
14 any nonresident of this state shall be considered to  
15 be a valid permit or license to carry weapons issued  
16 pursuant to this chapter, except that such permit or  
17 license shall not be considered to be a substitute for  
18 ~~an annual a permit to acquire pistols or revolvers~~  
19 firearms issued pursuant to section 724.15.

20 Sec. 13. Section 724.15, Code 2015, is amended by  
21 striking the section and inserting in lieu thereof the  
22 following:

23 **724.15 Optional permit to acquire firearms.**

24 1. It is the purpose of this section to provide  
25 for a permit to acquire firearms that will satisfy  
26 the requirements of 18 U.S.C. §922(t)(3) to allow the  
27 holder of such a permit to acquire firearms from a  
28 federally licensed firearms dealer. A person is not  
29 required to obtain a permit to acquire firearms under  
30 this section if the person possesses a valid permit to  
31 carry weapons issued in accordance with this chapter or  
32 if the person has otherwise completed a satisfactory  
33 national instant criminal background check required  
34 pursuant to 18 U.S.C. §922(t).

35 2. A person may obtain a permit to acquire firearms  
36 pursuant to this section. However, a permit to acquire  
37 firearms shall not be issued to a person who is subject  
38 to any of the following:

39 a. Is under twenty-one years of age.

40 b. Is prohibited by section 724.26 or federal law  
41 from possessing, shipping, transporting, or receiving a  
42 firearm.

43 c. Is prohibited by court order from possessing,  
44 shipping, transporting, or receiving a firearm.

45 3. A permit to acquire firearms shall authorize the  
46 permit holder to acquire one or more firearms, without  
47 limitation, from a federally licensed firearms dealer  
48 during the period the permit remains valid pursuant to  
49 section 724.20.

50 4. An issuing officer who finds that a person

1 issued a permit to acquire firearms under this chapter  
2 has been arrested for a disqualifying offense or who  
3 is the subject of proceedings that could lead to the  
4 person's ineligibility for such permit may immediately  
5 suspend such permit. An issuing officer proceeding  
6 under this subsection shall immediately notify the  
7 permit holder of the suspension by personal service or  
8 certified mail on a form prescribed and published by  
9 the commissioner of public safety and the suspension  
10 shall become effective upon the permit holder's  
11 receipt of such notice. If the suspension is based  
12 on an arrest or a proceeding that does not result in  
13 a disqualifying conviction or finding against the  
14 permit holder, the issuing officer shall immediately  
15 reinstate the permit upon receipt of proof of the  
16 matter's final disposition. If the arrest leads to  
17 a disqualifying conviction or the proceedings to a  
18 disqualifying finding, the issuing officer shall revoke  
19 the permit. The issuing officer may also revoke the  
20 permit of a person whom the issuing officer later finds  
21 was not qualified for such a permit at the time of  
22 issuance or who the officer finds provided materially  
23 false information on the permit application. A person  
24 aggrieved by a suspension or revocation under this  
25 subsection may seek review of the decision pursuant to  
26 section 724.21A.

27 Sec. 14. Section 724.16, Code 2015, is amended by  
28 striking the section and inserting in lieu thereof the  
29 following:

30 **724.16 Prohibited transfers of firearms.**

31 1. A person shall not transfer a firearm to another  
32 person if the person knows or reasonably should know  
33 that the other person is prohibited from receiving or  
34 possessing a firearm under section 724.26 or federal  
35 law.

36 2. A person shall not loan or rent a firearm  
37 to another person for temporary use during lawful  
38 activities if the person knows or reasonably should  
39 know that the person is prohibited from receiving or  
40 possessing a firearm under section 724.26 or federal  
41 law.

42 3. A person who transfers, loans, or rents a  
43 firearm in violation of this section commits a class  
44 "D" felony.

45 Sec. 15. Section 724.17, Code 2015, is amended to  
46 read as follows:

47 **724.17 Application for annual permit to acquire  
48 firearms — criminal history check required.**

49 1. The application for ~~an annual~~ a permit to  
50 acquire ~~pistols or revolvers~~ firearms may be made to



1 the sheriff of the county of the applicant's residence  
2 and shall be on a form prescribed and published by the  
3 commissioner of public safety.

4 a. If an applicant is a United States citizen,  
5 the application shall require only the full name of  
6 the applicant, the driver's license or nonoperator's  
7 identification card number of the applicant, the  
8 residence of the applicant, and the date and place of  
9 birth of the applicant.

10 b. If the applicant is not a United States citizen,  
11 the application shall, in addition to the information  
12 specified in paragraph "a", require the applicant's  
13 country of citizenship, any alien or admission  
14 number issued by the United States immigration and  
15 customs enforcement or any successor agency, and,  
16 if applicable, the basis for any exception claimed  
17 pursuant to 18 U.S.C. §922(y).

18 c. The applicant shall also display an  
19 identification card that bears a distinguishing number  
20 assigned to the cardholder, the full name, date of  
21 birth, sex, residence address, and brief description  
22 and colored photograph of the cardholder, or other  
23 identification as specified by rule of the department  
24 of public safety.

25 2. The sheriff shall conduct a criminal history  
26 check concerning each applicant by obtaining criminal  
27 history data from the department of public safety  
28 which shall include an inquiry of the national instant  
29 criminal background check system maintained by the  
30 federal bureau of investigation or any successor agency  
31 and an immigration alien query through a database  
32 maintained by the United States immigration and customs  
33 enforcement or any successor agency if the applicant is  
34 not a United States citizen.

35 3. A person who makes what the person knows to be  
36 a false statement of material fact on an application  
37 submitted under this section or who submits what the  
38 person knows to be any materially falsified or forged  
39 documentation in connection with such an application  
40 commits a class "D" felony.

41 Sec. 16. Section 724.18, Code 2015, is amended by  
42 striking the section and inserting in lieu thereof the  
43 following:

44 **724.18 Procedure for making application for permit**  
45 **to acquire firearms.**

46 1. A person may personally request the sheriff to  
47 mail an application for a permit to acquire firearms,  
48 and the sheriff shall immediately forward such  
49 application to the person. The person shall personally  
50 deliver such a completed application to the sheriff

1 who, upon successful completion of the criminal history  
2 check and immigration alien query, if applicable,  
3 required pursuant to section 724.17, shall note the  
4 period of validity on the application and immediately  
5 issue the permit to the applicant.

6 2. For the purposes of this section, the date of  
7 application shall be the date on which the sheriff  
8 received the completed application.

9 Sec. 17. Section 724.19, Code 2015, is amended to  
10 read as follows:

11 **724.19 Issuance of ~~annual~~ permit to acquire**  
12 **firearms.**

13 The ~~annual~~ permit to acquire ~~pistols or revolvers~~  
14 firearms shall be issued to the applicant immediately  
15 upon completion of the application unless the applicant  
16 is disqualified under the provisions of section 724.15  
17 ~~and. The permit shall be on a form~~ have a uniform  
18 appearance, size, and content prescribed and published  
19 by the commissioner of public safety. The permit shall  
20 contain the name of the permittee, ~~the residence of~~  
21 ~~the permittee,~~ and the effective date of the permit,  
22 but shall not contain the permittee's social security  
23 number. Such a permit shall not be issued for a  
24 particular weapon and shall not contain information  
25 about a particular weapon including the make, model,  
26 or serial number of the weapon, or any ammunition used  
27 in that weapon.

28 Sec. 18. Section 724.20, Code 2015, is amended to  
29 read as follows:

30 **724.20 Validity of ~~annual~~ permit to acquire ~~pistols~~**  
31 **~~or revolvers~~ firearms.**

32 The permit shall be valid throughout the state and  
33 ~~shall be valid three days after the date of application~~  
34 ~~and shall be invalid one year~~ five years after the date  
35 of ~~application~~ issuance.

36 Sec. 19. Section 724.21, Code 2015, is amended to  
37 read as follows:

38 **724.21 Giving false information when acquiring**  
39 **weapon firearms.**

40 A person who gives a false name or presents false  
41 identification, or otherwise knowingly gives false  
42 material information to one from whom the person seeks  
43 to acquire a ~~pistol or revolver~~ firearm, commits a  
44 class "D" felony.

45 Sec. 20. Section 724.21A, subsections 1 and 7, Code  
46 2015, are amended to read as follows:

47 1. In any case where the sheriff or the  
48 commissioner of public safety denies an application  
49 for or suspends or revokes a permit to carry weapons  
50 or ~~an annual~~ a permit to acquire ~~pistols or revolvers~~

1 firearms, the sheriff or commissioner shall provide  
2 a written statement of the reasons for the denial,  
3 suspension, or revocation and the applicant or permit  
4 holder shall have the right to appeal the denial,  
5 suspension, or revocation to an administrative law  
6 judge in the department of inspections and appeals  
7 within thirty days of receiving written notice of the  
8 denial, suspension, or revocation.

9 7. In any case where the issuing officer denies  
10 an application for, or suspends or revokes a permit  
11 to carry weapons or ~~an annual~~ a permit to acquire  
12 ~~pistols or revolvers~~ firearms solely because of an  
13 adverse determination by the national instant criminal  
14 background check system, the applicant or permit holder  
15 shall not seek relief under this section but may pursue  
16 relief of the national instant criminal background  
17 check system determination pursuant to Pub. L. No.  
18 103-159, sections 103(f) and (g) and 104 and 28 C.F.R.  
19 §25.10, or other applicable law. The outcome of such  
20 proceedings shall be binding on the issuing officer.

21 Sec. 21. Section 724.21A, Code 2015, is amended by  
22 adding the following new subsection:

23 NEW SUBSECTION. 8. If an applicant appeals the  
24 decision by the sheriff or commissioner to deny an  
25 application, or suspend or revoke a permit to carry  
26 weapons or a permit to acquire firearms, and it is  
27 later determined the applicant is eligible to be  
28 issued or possess such a permit, the applicant shall be  
29 awarded court costs and reasonable attorney fees. If  
30 the decision of the sheriff or commission to deny the  
31 application, or suspend or revoke the permit is upheld  
32 on appeal, the political subdivision of the state  
33 representing the sheriff or the commissioner shall be  
34 awarded court costs and reasonable attorney fees.

35 Sec. 22. Section 724.22, subsection 5, Code 2015,  
36 is amended to read as follows:

37 5. A parent or guardian or spouse who is twenty-one  
38 years of age or older, of a person ~~fourteen years of~~  
39 ~~age but less than~~ below the age of twenty-one may  
40 allow the person to possess a pistol or revolver or  
41 the ammunition therefor for any lawful purpose while  
42 under the direct supervision of the parent or guardian  
43 or spouse who is twenty-one years of age or older, or  
44 while the person receives instruction in the proper use  
45 thereof from an instructor twenty-one years of age or  
46 older, with the consent of such parent, guardian or  
47 spouse.

48 Sec. 23. Section 724.23, Code 2015, is amended to  
49 read as follows:

50 **724.23 Records kept by commissioner and issuing**

1 **officers.**

2 1. a. The commissioner of public safety shall  
3 maintain a permanent record of all valid permits to  
4 carry weapons and of current permit revocations.

5 b. The permanent record shall be kept in a  
6 searchable database that is accessible on a statewide  
7 basis for the circumstances described in subsection 2,  
8 paragraph "b", "c", or "d".

9 2. a. Notwithstanding any other law or rule to  
10 the contrary, the commissioner of public safety and  
11 any issuing officer shall keep confidential personally  
12 identifiable information of holders of nonprofessional  
13 permits to carry weapons and permits to acquire  
14 firearms, including but not limited to the name, social  
15 security number, date of birth, residential or business  
16 address, and driver's license or other identification  
17 number of the applicant or permit holder.

18 b. This subsection shall not prohibit the  
19 release of statistical information relating to the  
20 issuance, denial, revocation, or administration of  
21 nonprofessional permits to carry weapons and permits  
22 to acquire firearms, provided that the release of  
23 such information does not reveal the identity of any  
24 individual permit holder.

25 c. This subsection shall not prohibit the release  
26 of information to any law enforcement agency or any  
27 employee or agent thereof when necessary for the  
28 purpose of investigating a possible violation of law  
29 and probable cause exists, or for conducting a lawfully  
30 authorized background investigation.

31 d. This subsection shall not prohibit the  
32 release of information relating to the validity of a  
33 professional permit to carry weapons to an employer who  
34 requires an employee or an agent of the employer to  
35 possess a professional permit to carry weapons as part  
36 of the duties of the employee or agent.

37 e. Except as provided in paragraphs "b", "c", and  
38 "d", the release of any confidential information under  
39 this section shall require a court order or the consent  
40 of the person whose personally identifiable information  
41 is the subject of the information request.

42 Sec. 24. Section 724.27, subsection 1, unnumbered  
43 paragraph 1, Code 2015, is amended to read as follows:

44 The provisions of section 724.8, section 724.15,  
45 subsection 1 2, and section 724.26 shall not apply to  
46 a person who is eligible to have the person's civil  
47 rights regarding firearms restored under section 914.7  
48 if any of the following occur:

49 Sec. 25. NEW SECTION. 724.29A Fraudulent purchase  
50 of firearms or ammunition.

1 1. For purposes of this section:  
2 a. "Ammunition" means any cartridge, shell, or  
3 projectile designed for use in a firearm.  
4 b. "Licensed firearms dealer" means a person who is  
5 licensed pursuant to 18 U.S.C. §923 to engage in the  
6 business of dealing in firearms.  
7 c. "Materially false information" means information  
8 that portrays an illegal transaction as legal or a  
9 legal transaction as illegal.  
10 d. "Private seller" means a person who sells or  
11 offers for sale any firearm or ammunition.  
12 2. A person who knowingly solicits, persuades,  
13 encourages, or entices a licensed firearms dealer or  
14 private seller of firearms or ammunition to transfer  
15 a firearm or ammunition under circumstances that the  
16 person knows would violate the laws of this state or of  
17 the United States commits a class "D" felony.  
18 3. A person who knowingly provides materially  
19 false information to a licensed firearms dealer or  
20 private seller of firearms or ammunition with the  
21 intent to deceive the firearms dealer or seller about  
22 the legality of a transfer of a firearm or ammunition  
23 commits a class "D" felony.  
24 4. Any person who willfully procures another to  
25 engage in conduct prohibited by this section shall be  
26 held accountable as a principal.  
27 5. This section does not apply to a law enforcement  
28 officer acting in the officer's official capacity  
29 or to a person acting at the direction of such law  
30 enforcement officer.  
31 Sec. 26. NEW SECTION. 724.32 Rules.  
32 The department of public safety shall adopt rules  
33 pursuant to chapter 17A to administer this chapter.  
34 Sec. 27. Section 805.8C, Code 2015, is amended by  
35 adding the following new subsections:  
36 NEW SUBSECTION. 11. Duty to possess permit to carry  
37 weapons. For violations of section 724.4, subsection  
38 4, paragraph "i", subparagraph (2), the scheduled fine  
39 is ten dollars.  
40 NEW SUBSECTION. 12. Failure to produce permit to  
41 carry. For violations of section 724.5, the scheduled  
42 fine is ten dollars.  
43 Sec. 28. EFFECTIVE UPON ENACTMENT. The following  
44 provision or provisions of this Act, being deemed of  
45 immediate importance, take effect upon enactment:  
46 1. The section of this Act amending section 724.1,  
47 subsection 1, paragraph "h".  
48 2. The section of this Act enacting new section  
49 724.1A.  
50 3. The section of this Act amending section 724.22.

1     4. The section of this Act amending section 724.23,  
2 subsection 2.  
3     5. The section of this Act amending section  
4 724.29A.  
5     6. The applicability section of this Act.  
6     Sec. 29. APPLICABILITY. The section of this  
7 Act amending section 724.23 applies to holders of  
8 nonprofessional permits to carry weapons and permits to  
9 acquire firearms and to applicants for nonprofessional  
10 permits to carry weapons and permits to acquire  
11 firearms on or after the effective date of that section  
12 of this Act.>  
13     2. Title page, line 2, by striking <and> and  
14 inserting <including effective date and applicability  
15 provisions, and>

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BILL ANDERSON

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JERRY BEHN

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RICK BERTRAND

---

MICHAEL BREITBACH

---

JAKE CHAPMAN

---

MARK CHELGREN

---

MARK COSTELLO

---

BILL DIX

---

RANDY FEENSTRA

---

JULIAN GARRETT

---

DENNIS GUTH

---

DAVID JOHNSON

---

TIM L. KAPUCIAN

---

TIM KRAAYENBRINK

---

KEN ROZENBOOM

---

CHARLES SCHNEIDER

---

JASON SCHULTZ

---

MARK SEGEBART

---

TOM SHIPLEY

---

AMY SINCLAIR

---

ROBY SMITH

---

JACK WHITVER

---

BRAD ZAUN

---

DAN ZUMBACH